CHAPTER 7

HAZARDOUS MATERIAL CONTROL AND MANAGEMENT (HMC&M)

0701. Background

a. This chapter identifies occupational safety and health (OSH) functions and defines requirements and responsibilities for shore activity hazardous material control and management (HMC&M). HMC&M focuses on preventing minimizing or eliminating the introduction of hazardous material (HM) into the Navy system, substituting less hazardous HM for HM already in the Navy system, safely using HM in the workplace, and safely handling and disposing of hazardous waste (HW). HMC&M incorporates the requirements of the Occupational Safety and Health Administration (OSHA) Hazard Communication (HAZCOM) Standard, the OSHA Hazardous Waste and Emergency Response (HAZWOPER) Standard, the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Superfund Amendments and Reauthorization Act (SARA), or references 7-1 through 7-5 respectively. HMC&M involves a variety of local organizational and functional elements due to the requirements in reference 7-1, State and local right-to-know laws, overlapping requirements of the laws and regulations that affect HM use, and the logistic aspects of supply and material disposition.

b. HMC&M reinforces the importance of many basic OSH objectives and functions. All OSH personnel have a crucial role in support of the HMC&M program. Active participation of OSH staff in the program should reduce unnecessary functional overlaps and duplication of effort within the activity organization. Further, active and aggressive OSH, HMC&M, and HAZCOM efforts are an optimal means to eliminate or control personnel exposures to HM in the workplace, as well as reducing Navy liability related to HM use. Management leadership and the active involvement of employees and supervisors in implementing HMC&M-related programs are essential.

c. This chapter summarizes the HMC&M program elements for shore activities, identifies OSH functions for each element, and defines specific responsibilities and actions required for HMC&M program implementation. Section 0704 addresses afloat requirements.

0702. Responsibilities

a. Chief, Bureau of Medicine and Surgery (BUMED) shall, in addition to the general occupational health responsibilities for HM evaluation and consultation addressed in chapter 8 of this instruction:

(1) Perform health hazard assessments (HHAs) for new HM or for new uses for existing HM and confirm requirements for toxicological research for new systems or for Navy-unique HM or Navy-manufactured HM. BUMED shall take action, as appropriate, to ensure development of needed data for the safe use and handling of the HM in Navy systems, both ashore and afloat. Reference 7-6 provides additional guidance.

NOTE:

The Navy operates a toxicology research unit, the Naval Health Research Center Detachment (Toxicology) (TOXDET) at Wright Patterson Air Force Base, which conducts

toxicological profiles (TP) HHAs for materials of operational concern for the Navy. The Navy directly uses TPs completed by this unit in the setting of allowable exposure limits for HM in operational scenarios. The National Academy of Sciences (NAS) Committee on Toxicology (COT) collaborates with this unit to ensure the quality of the HHAs, proposed allowable limits, TPs, and other application of toxicology information necessary to determine the hazards posed by identified materials. Reference 7-6 contains detailed guidance regarding the procedures for obtaining HHAs for operational use of HM.

(2) Assist Navy systems commands (SYSCOMS), program managers, Navy regions and activities with implementing HMC&M requirements and performing HHAs associated with management of the facility level authorized use list (AUL). Additionally, BUMED shall, in conjunction with subordinate commands, perform risk assessments and evaluate the potential health hazards associated with reducing or eliminating the use of HM, including specification of protocols for substitution of less hazardous HM. BUMED will partner with the SYSCOMS, Navy regions, and individual Navy facilities to identify potential alternative actions, materials, and processes in support of cost effective compliance, promotion of personnel safety and health, and reduced emissions. Reference 7-8 provides additional guidance.

b. Commander, Naval Supply Systems Command (COMNAVSUPSYSCOM) shall, in conjunction with subordinate commands:

(1) Manage the supply system, develop and recommend to CNO (N45) and cognizant program managers those policies and procedures and any associated life cycle costs to enhance personnel safety and systems acquisition or facilities safety, and reduce or minimize the entry of new HM into the supply system.

(2) Establish HM logistics requirements; provide warehousing and material information systems; mark and label containers received, shipped, distributed or issued for use; provide information on HM storage compatibility; control HM acquired or used overseas; acquire only that HM authorized by shore activity HM AULs; and issue guidance for HM reuse and shelf life extension.

(3) Provide guidance to, and coordinate efforts on Navy-wide HM substitution. Reference 7-9 provides guidance on substituting and eliminating HM.

(4) Provide assistance and computer equipment to implement Pollution Prevention programs, the Consolidated Hazardous Material Reutilization and Inventory Management Program (CHRIMP), the Hazardous Substance Management Systems (HSMS) ashore and CHRIMP and Hazardous Material Inventory Control System (HICS) afloat, and assistance operation of HM minimization (HAZMIN) Centers. Reference 7-10 provides guidance on the CHRIMP implementation.

c. Chief of Naval Education and Training shall incorporate HMC&M requirements into the Navy Occupational Safety and Health and Hazardous Material Control and Management Navy Training Systems Plan (NTSP 40-S-8603D) and provide HMC&M training management and training materials per chapter 6 of this instruction.

d. Commanders of Headquarters Commands and major claimants shall coordinate with BUMED, COMNAVSUPSYSCOM, program managers, field activities, and Navy regions regard-

ing sponsored activities in those regions, to implement and maintain HMC&M programs as required by this manual and references 7-7through 7-9. Major claimants shall provide OSH support and funding appropriate to develop and implement HM elimination and substitution processes for all systems and operations under their cognizance. Major claimant and subordinate command OSH professionals shall assist in managing the facility AUL to ensure the use of non-hazardous or least hazardous, technically acceptable materials.

e. Navy regions shall coordinate with their HQs, program managers and field activities to which they provide NAVOSH support to implement, manage and maintain HMC&M programs as required by this manual and references 7-7, through 7-10. Navy regions should liaison with other regions to develop "best business practices" in the management of HM. Navy regions executing centralized HMC&M program functions on behalf of regional shore facilities shall comply with those provisions applicable to shore activities per this chapter and references 7-7 through 7-9.

f. Commanders, commanding officers and officers in charge of Navy activities in foreign countries shall conform to U.S. OSHA laws and regulations and to this chapter, and to the extent feasible comply with applicable HM and HW requirements of host nation Status of Forces Agreements (SOFAs) or other official agreements which are more restrictive than U.S. regulations.

g. Commanders and commanding officers of shore facilities shall:

(1) Define and assign responsibilities within the facility for the HMC&M program and ensure compliance with this chapter and references 7-1, 7-7 through 7-10.

(2) Develop, implement, manage, and revise as necessary an activity level HM AUL. The AUL shall include all HM and any materials having components that meet or have potential to meet the definition of HW per 40 CFR 261 during any phase of its existence. For each HM listed, the AUL must include the stock number and item name for stock numbered items purchased via the stock system, or the product name and manufacturer name as they appear on the product label/material safety data sheet (MSDS) for items not purchased via the stock system. In addition, the AUL shall identify the process(es) for each HM it lists. The activity shall maintain this AUL for all HM it allows for use.

NOTE:

Navy recognizes the exemption in 29 CFR 1910.1200(b)(6). These exempted materials do not have to be listed on the AUL.

(3) Ensure that the appropriate OSH professionals perform a safety and health review of HM proposed for addition to the activity AUL prior to purchase of the HM, and that a periodic review of the AUL is performed to eliminate unnecessary HM, substitute less hazardous HM where feasible and comply with the provisions of reference 7-8. Contact the Navy Environmental Health Center (NEHC) for assistance, as required. (See also references 7-6 through 7-9 for further guidance).

(4) Develop, implement, and revise as necessary a facility level HM inventory that includes, as a minimum, the identity and quantity (by building) of HM present at the facility, including whether the material is an extremely hazardous substance, hazardous substance, or

cluding whether the material is an extremely hazardous substance, hazardous substance, or toxic chemical as defined under EPCRA (see chapter 4 in reference 7-7).

(5) Ensure HM is uniquely identified for reference, retrieval, and cross-reference between the label, MSDS, AUL, and HM inventory.

(6) Maintain an MSDS for all HM issued, received or brought onto the facility. This requirement may be satisfied by subscription to an online MSDS service in lieu of maintaining a hard copy. This does not remove the requirements of appendix 7-A. See appendix 7-A of this chapter for additional information.

(7) Establish systems to ensure that all HM is properly labeled per the requirements of reference 7-1. There are several allowable options for accomplishing this requirement. All HM must be labeled with:

(a) The original HAZCOM compliant manufacturer's label or an exact copy of the HAZCOM compliant manufacturer's label, or

(b) Standard Department of Defense (DoD) Hazardous Chemical Warning Labels (DD 2521 or DD 2522), or

(c) A label developed by the facility that contains the following information from the MSDS: the manufacturer's name, product identity, and hazard warnings.

NOTE:

Activities need not verify the technical content of a manufacturer-provided label, and may accept the content at face value. The activity shall, however, ensure that these labels provide the manufacturer's name, the product name, and hazard warning as required by reference 7-1, and report labeling deficiencies to the external supply organization, manufacturer, or distributor that supplied the material to the activity. Also, note that National Fire Protection Association (NFPA) labels do not comply with reference 7-1 and may only be used as a supplement to a HAZCOM compliant label.

(8) For shore activities within the continental United States (CONUS) (including Hawaii and Guam), implement HSMS at the facility, including the establishment of HAZMIN centers to facilitate the central management of all HM at the facility as required by CHRIMP. Activities may use the AUL/inventory capabilities of HSMS to meet the AUL/inventory requirements previously set forth in this paragraph. When an activity uses HSMS for inventory purposes, it will conduct a statistically valid audit of the accuracy of HSMS inventory data at least annually. Where significant error is found (i.e., over 10 percent error at the 90 percent confidence level), the activity shall conduct further evaluation and reconciliation of the HSMS inventory as necessary to restore an acceptable level of overall HSMS inventory accuracy. Implement HSMS or an equivalent system that meets the intent of HSMS that includes identification of an MSDS, industrial type or other process, and EPA waste stream for each manufacturer-specific HM used within the facility.

(9) Ensure activity managers, such as shop heads, general foremen, and supervisors participate in the HMC&M program by:

(a) Notifying the facility's responsible organization, usually the OSH office or the HAZMIN center, if HM not allowed for use is delivered to the shop or work center. When notified, the responsible organization shall take action or provide guidance in rectifying the problem. This shall be accomplished before the HM is used.

(b) Overseeing their respective areas of responsibility to ensure that personnel use HM only in processes for which it is authorized via the AUL and to ensure that HM for which there is no apparent authorized use is returned to the HAZMIN center for proper disposal.

(c) Ensuring pipes, tanks, and breakdown containers within their respective areas of responsibility are properly labeled per paragraph 0702h(6) and the activity's written HAZCOM Plan.

(10) Have the command OSH office provide staff support to ensure the implementation of a compliant hazard communication program at the facility. In meeting this responsibility, the OSH office shall:

(a) Participate in the DoD Hazardous Material Information System (HMIS) per the guidance contained in appendix 7-A (see also reference 7-11 for further guidance on the processing of MSDSs to ensure their prompt inclusion in the HMIS).

(b) Establish a system to ensure that they obtain current MSDSs and maintain them in a manner that ensures that they are readily available to employees during all working hours and that employees have an opportunity to review them prior to working with HM.

NOTE:

The term "readily available" means that employees who wish to do so must have access to MSDSs prior to beginning work with HM. It does not mean MSDSs must be available in any specific time frame. As long as employees can obtain MSDSs prior to using HM, and there are no significant physical or administrative barriers that inhibit the employee's ability to gain access to a needed MSDS, the MSDS is readily available. It is also important to note that neither employees nor supervisors are required to have MSDSs in their possession, as long as the MSDS can be obtained when needed.

(c) Assist in establishing and implementing procedures for preparing MSDSs for locally developed or manufactured HM, and conducting reviews of all locally prepared MSDSs.

(d) Establish criteria and procedures for reviewing incoming MSDSs to ensure they contain the information required by reference 7-1. Report MSDS deficiencies to the cognizant manufacturer/ distributor for correction. Report deficiencies in the DoD HMIS to NEHC at the address listed in appendix 7-A.

(e) Provide reports and recommendations resulting from the safety and health review to appropriate line supervisors, managers, and the activity HMC&M committee (where established).

(f) Provide consultation on the identification of HM, the labeling and marking of HM containers for special applications or conditions of use, and for HM produced or manufactured locally by the facility.

(g) Ensure that a compliant written HAZCOM plan is implemented that addresses the key elements of reference 7-1.

(h) Establish a program that ensures employees receive required HAZCOM training. Assist supervisors and training specialists in conducting HAZCOM training when requested.

NOTE:

OSH professionals or collateral duty personnel assigned duties or responsibilities for the activity HMC&M program require the following courses, available through the Naval Occupational Safety and Health and Environmental Training Center (NAVOSHENVTRACEN) or equivalent courses (as determined or approved by the Echelon Two headquarters):

(1) Introduction to Hazardous Material (Ashore), course A-493-0031;

(2) Hazardous Material Control and Management Technician, course A-322-2600 (available and required only for shore and afloat commands with a Navy Enlisted Classification (NEC) 9595 authorized billet requirement listed on the activity's manning document.

(i) Provide a mechanism for informing contractors of Navy HM to which their personnel may be exposed, and for informing Navy personnel of contractor HM and relevant MSDS to which they may be potentially exposed.

(j) Ensure that the activity Pollution Prevention Plan adequately addresses unresolved OSH concerns regarding the facility AUL, local purchases of HM, other HM management methods and means used to reduce and eliminate HM use, or operation of HAZMIN centers and implementation of CHRIMP and HSMS, either directly or as support services.

0703. Headquarters Command, Major Claimant, and Program Management Safety and Occupational Health Functions in Support of HMC&M

The full scope of HMC&M extends beyond OSH and encompasses all aspects of management, logistics, acquisitions and environmental protection. Those aspects of HMC&M involving occupational environments and workplaces are a major component of OSH programs, and headquarters commands shall support them accordingly.

a. Headquarters commands and major claimants shall assess environment, safety, and occupational health (ESOH) effects of chemicals and materials posing a high hazard potential in operations under their cognizance and use the results in all life cycle cost and trade-off decisions.

b. Headquarters commands and major claimants shall coordinate with program managers to address OSH aspects as an integral part of ESOH. OSH considerations shall be integral to system engineering processes, human factors engineering, and HM management principles and practices consistent with reference 7-11, DoDI 4715.4, the DoD Desk Book, SECNAVINST 5000.2B, and SECNAVINST 5100.10H. Headquarters commands and major claimants shall assist program managers whenever practicable to assess the ESOH effects of chemicals, processes, and materials posing a high hazard potential and use the results in all life cycle cost and trade-off decisions.

0704. Afloat HMC&M

Chapter 19 of reference 7-7, references 7-8 and 7-9, and chapters B3, C23 and D15 of reference 7-12 delineate functional responsibilities of key HMC&M participants aboard Navy ships. In general, receiving shore activities shall coordinate with ships regarding the movement of used and excess HM aboard receiving shore activities, and ensure containers are properly labeled with a HAZCOM compliant label or a DoD Hazardous Chemical Warning Label and MSDSs are provided to shore activities in the event the HM is not listed in the HMIS and the shore activity does not possess an MSDS for the item.

0705. Shore Activities in Foreign Countries

OSH offices shall support and participate in all OSH and HMC&M program elements discussed in section 0702 except where legally binding conflict exists with the laws of the foreign country and/or under local status of forces agreements. In such cases, the activity shall identify the conflict to the appropriate higher authority for resolution. Overseas shore activities are not required to implement HSMS at this time. Overseas activities should use HICS to operate HAZMIN centers.

0706. Chemical Hygiene Plans

Activities with laboratories, as defined in reference 7-10, shall develop Chemical Hygiene Plans. These activities may develop a single plan for more than one laboratory, as long as similar work is performed and the other requirements of reference 7-10 are met. There may be instances where a laboratory may need both a Chemical Hygiene Plan and a HAZCOM program. Cognizant headquarters commands shall assist subordinate activities in identifying specific laboratories that meet the definitions in reference 7-10.

0707. Process Safety Management

Activities meeting the threshold quantities of reference 7-13 shall follow the requirements of that reference.

Chapter 7

References

7-1. Title 29 Code of Federal Regulations (CFR) Section 1910.1200 of 1 Jul 97, OSHA Hazard Communication Standard

7-2. Title 29 CFR Section 1910.120 of 1 Jul 97, OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard

7-3. Title 40 CFR Part 240 of 1 Jul 97, Resource Conservation and Recovery Act (RCRA)

7-4. Title 40 CFR Subchapter J of 1 Jul 97, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

7-5. Title 40 CFR Part 302 of 1 Jul 97, Superfund Amendments and Reauthorization Act (SARA)

7.6. BUMEDINST 6270.8, of 6 Jun 90 Procedures for Obtaining Health Hazard Assessments Pertaining to Operational Use of Hazardous Materials (NOTAL)

7-7. OPNAVINST 5090.1B, of 1 Nov 94 Environmental and Natural Resources Program Manual (NOTAL)

7-8. NAVSUP Publication 718, Navy Guidance Manual for the Hazardous Material Substitution Process.

7-9. NAVSUP Publication 722, Consolidated Hazardous Material Reutilization and Inventory Management Program (CHRIMP) Manual.

7-10. Title 29 CFR Section 1910.1450 of 1 Jul 97, Occupational Exposure to Hazardous Chemicals in Laboratories

7-11. DoD Instruction 6050.5 of 29 Oct 90, DoD Hazard Communication Program (NOTAL)

7-12. OPNAVINST 5100.19D CH-1, of 30 Aug 01 Navy Occupational Safety and Health Program for Forces Afloat (NOTAL)

7-13. Title 29 CFR 1910.119 of 1 Jul 97, OSHA Process Safety Management of Highly Hazardous Chemicals

7-14. Federal Standard (FEDSTD) 313, Material Safety Data Sheets, Transportation Data, and Disposal Data for Hazardous Materials Furnished to Government Activities Series, latest revision (NOTAL)

7-15. Defense Federal Acquisition Regulation (DFAR) clause 52-223-3 of Jan 97, Hazardous Material Identification and Material Safety Data (NOTAL)

7-16. Public Law 94-499 of 17 Oct 86, Emergency Planning and Community Right to Know Act (EPCRA)

7-17. Defense Federal Acquisition Regulation (DFAR) clause 252.227-7013 of Nov 95, Rights in Technical Data-Non-Commercial Items

Appendix 7-A
Hazardous Material Information System (HMIS)

1. Background and Discussion

a. DoD established HMIS to store and disseminate manufacturer's data and supplemental related information on HM. The system provides a means of sharing and communicating information on HM procured by a DoD activity with other commands, activities, and units within DoD. The overall operation of HMIS is prescribed in reference 7-11. This appendix discusses the Navy's implementation and operation of HMIS. In April 2002, HMIS is planned to be replaced with the DoD Hazardous Materials Information Resource System (HMIRS). All of the requirements in this instruction pertaining to HMIS will also pertain to HMIRS once it is implemented.

b. The Defense Logistics Agency (DLA) manages the DoD HMIS and maintains a computerized central repository of information on HM purchased for use within DoD. Local users receive MSDSs via vendors or suppliers who provide them per references 7-14 and 7-15. MSDSs sent by local users to a service focal point are the means by which HMIS is populated and updated.

c. The provisions of this appendix and reference 7-1 are not applicable to:

(1) HM purchased by the military exchange systems for subsequent resale, though the Consumer Product Safety Commission or other regulatory agencies may regulate the sale of that material.

(2) The acquisition of laboratory quantities of chemicals or other HM when used by qualified professions in Navy laboratories as defined in reference 7-10. In both these situations, however, the special provisions of reference 7-1 apply.

2. System Operation

a. Vendors and Suppliers. Vendors selling material to DoD activities will submit a fully completed MSDS to the procuring activity per the procurement contract. Reference 7-14 contains instructions for completing the MSDS forms.

NOTE:

Per reference 7-14, the preferred MSDS format is the American National Standards Institute (ANSI) Z400.1-1998, An American National Standard for Hazardous Industrial Chemicals-Material Safety Data Sheets Preparation (NOTAL). Navy-manufactured HM should use this format.

b. Commands and Activities

(1) Contracting officers for Navy shore activities and ships purchasing HM or consumables through vendors or other federal agencies (e.g., DLA, Government Services Administration (GSA), etc.) shall require the MSDS as a line item deliverable in the contract, per references 7-14 and 7-15, for all HM. Contracting officers shall attach a copy of documentation that adequately identifies the product (including National Stock Number (NSN)/Locally (service)-assigned temporary Stock Number (LSN), contract number, applicable military/Federal specification to which the product conforms and date of purchase or requisition and a point of contact within the contracting activity) to the MSDS.

(2) Upon award and per reference 7-14, the contracting officer shall forward the MSDS (and the manufacturer's current hazard communication standard compliant hazard warning label) to the Navy Environmental Health Center (NEHC), which is the Navy (service) focal point for MSDS submission. Submissions should be addressed to:

Commanding Officer
Navy Environmental Health Center
(NEHC)
Attn: IH (HMIS)
620 John Paul Jones Circle Ste. 1100
Portsmouth, VA 23708-2103

(3) For HM locally acquired (blanket purchases, direct buys or "off-the-shelf" purchases) by a Navy shore activity or ship, that activity shall ensure it obtains an MSDS from the vendor and the MSDS is available at the activity. The local activity shall determine whether the MSDS is present in the HMIS. If it is not, the activity shall forward the MSDS to the NEHC, as specified above, for inclusion in the HMIS.

NOTE:

There may be more than one MSDS for a given stock number (LSN or NSN) due to formulation changes or different manufacturers.

(4) Each activity shall retain either the HMIS MSDS or copies of the manufacturer's MSDSs for all HM received by that activity to fulfill the requirements of references 7-1 and 7-16.

c. Navy Environmental Health Center. The NEHC shall review each MSDS for completeness and prepare, or oversee the preparation of, an MSDS information package. The NEHC shall send the MSDS information package, via floppy disk or electronic format, to DLA for input into the DoD HMIS. For each MSDS that has a corresponding NSN or LSN, NEHC shall send a complete MSDS information package to the Naval Transportation Support Center (NAVTRANSUPCEN), Norfolk, VA, and notify NAVTRANSUPCEN that HMIS transportation data is required for the item.

d. Navy Transportation Support Center (NAVTRANSUPPCEN). Upon receipt of an MSDS information package and notification from the NEHC, NAVTRANSUPCEN shall prepare and add transportation data, including specific technical information concerning the transport of

regulated items, by any mode of transportation used by DoD shippers. NAVTRANSUPCEN shall then send the information package, via floppy disk or electronic format, to DLA for input into the DoD HMIS database.

e. DLA. DLA consolidates MSDS information submitted by service and agency HMIS focal points, maintains the HMIS database and provides the data to the Space and Naval Warfare Systems Center (SPAWAR). SPAWAR produces the HMIS on compact disks - read only memory (CD-ROMs) and distributes them to recipients designated by COMNAVSUPSYSCOM.

3. **Outputs**

The Hazardous Material Control and Management (HMC&M) CD-ROM Program Disk contains the complete HMIS database of MSDSs, the Ships Hazardous Materials List (SHML), and the Hazardous Material Users Guide (HMUG) described below. Commands can copy applicable sections of the HMIS, SHML, and HMUG and post in areas where specific HM or HM groups are used, handled, or stored. This information may also be electronically exported to other storage media or imported into distinct software systems. Distribution additions or changes should be forwarded to:

COMNAVSUPSYSCOM
Attn: Code 4241
5450 Carlisle Pike
P.O. Box 2050
Mechanicsburg, PA 17055-0791

a. Hazardous Material Information System (HMIS). DLA manages HMIS, which is a repository of MSDS and related information for HM used or purchased within the DOD system.

b. Ships Hazardous Material List (SHML). COMNAVSUPSYSCOM manages the SHML, and the Naval Inventory Control Point (NAVICP) in Mechanicsburg, PA maintains it. The SHML provides ships and contracting officers with the capability to identify HM authorized for use aboard ships and to preclude the stocking of HM for which ships have no operational need.

c. Hazardous Material User's Guide (HMUG). Commander, Naval Safety Center (COMNAVSAFCEN) manages the HMUG, which provides easily understandable safety and occupational health information to supplement the technical data found in the MSDSs. The contents of the HMUG include HM control measures, precautions, health hazards, spill control guidance, and disposal guidelines. It also provides a personal protective equipment (PPE) shopping guide.

4. **Proprietary Information**

The HMIS outputs (i.e., reference 7-11) and MSDSs may contain information that the supplier considers proprietary. To protect both the supplier and the Government, the contract under which the MSDS is obtained from the supplier shall contain the "Rights in Technical Data and Computer Software Clause" of reference 7-14. In these outputs, all proprietary information of the supplier that satisfies the definition of limited rights data (i.e., technical data pertaining to items, components or processes developed at private expense) is marked with the "limited

rights legend" prescribed in the Rights in Technical Data and Computer Software Clause. Local activities shall protect this data.